

**REMARKS**

The present filing is responsive to the Examiner's concerns noted in the Office Action.

**Summary of the Response**

Claims 1, 2, 4 and 7 have been amended. Claims 3, 5, 6, 14 and 15 have been canceled. New claims 22 and 23 have been added. Claims 1, 2, 4, 7, 8-13 and 16-23 remain pending in this application. Reexamination and reconsideration of the present application as amended are respectfully requested.

**Claim Rejections Under 35 USC 102**

Claims 1-4, 11-14 and 20 are rejected under 35 U.S.C. 102(b) as being unpatentable over USPN 5,153,572 (Caldwell et al.). This rejection is respectfully traversed.

Applicant respectfully notes that Caldwell is not directed to the type of touch panel that comprises two opposing substrates, but instead of the type that comprises a substrate with touch pads on the top, user input side of the substrate, which somehow interacts with pads 36 and 38 on the underside of the substrate. The Caldwell pads 36 and 38 also do not correspond to the recited sensing lines.

Independent claim 1 has been amended to recite a contact sensitive panel comprising a first substrate and a second substrate insulated from the first substrate, wherein the first substrate has a first conductive surface and the second substrate has a second conductive surface facing the first conductive film, and wherein the first conductive surface and the second conductive surface define an active area. Caldwell does not teach opposing conductive layers between two

substrates defining an active area. The Examiner somehow referred to the glass layer (24) (see Examiner's comment re claim 3 on page 3 of office action) and the adhesive layer (28) as a conductive layer (see Examiner's comment re claim 20 on page 5 of office action). However, these glass layer and adhesive layer do not correspond to the recited conductive surfaces recited in claim 1. The recited opposing conductive surfaces of the substrates defines an active area of the touch panel, which surfaces cannot be simply be as general as a substrate glass layer (24) or the adhesive layer (28) that covers the entire glass substrate (24). The conductive surfaces are further defined to be conductive films in new dependent claim 22 (and dependent claim 23). The active area of the touch panel in Caldwell is therefore not defined by two opposing conductive surfaces or films, as recited in claim 1. For similar reasons, for independent claim 20, Caldwell does not teach the recited conductive surface.

Amended independent claim 1 further recites sensing lines at the periphery of the active area, which facilitates sensing relative changes in electrical properties arising from user contact within the active area. Caldwell's pads 36 and 38 do not correspond to the recited sensing lines at the periphery of an active area. Pads 36 and 38 are directly under the touch pads 30 and 32.

Accordingly, independent claims 1 and 20, and all remaining dependent claims, would not be anticipated by Caldwell.

#### Claim Rejections Under 35 USC 103

Claims 5-10, 16-19 and 21 are rejected under 35 U.S.C. 103(a) as being unpatentable over US Patent No. 5,153,572 (Caldwell et al.) in view US Patent No. 5,844,175 by (Nakanishi et al.). This rejection is respectfully traversed.

Given the traversal of independent claims 1 and 20, all dependent claims are likewise patentable for at least the reasons noted above. Further, the dependent claims add further limitations that further distinguish the present invention from the cited references. Still further, there is no teaching, motivation, suggestion or apparent reason to combine Caldwell and Nakanishi in the first place. As noted above, Caldwell is not directed to a touch panel having two opposing substrates with internally facing conductive surfaces. Instead, Caldwell is directed to a touch panel having user input touch pads on the top surface, which interacts with pads underlying the substrate. However, Nakanishi discloses a dual substrate type touch panel.

**CONCLUSION**

In view of all the foregoing, Applicant submits that the claims pending in this application are patentable over the references of record and are in condition for allowance. Such action at an early date is earnestly solicited. **The Examiner is invited to call the undersigned representative to discuss any outstanding issues that may not have been adequately addressed in this response.**

The Assistant Commissioner is hereby authorized to charge any additional fees under 37 C.F.R. §§ 1.16 and 1.17 that may be required by this transmittal and associated documents, or to credit any overpayment to **Deposit Account No. 501288** referencing the attorney docket number of this application.

Respectfully submitted,



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